

1 Camellia Baray, State Bar No. 179219  
2 BONJOUR, THORMAN, BARAY & BILLINGSLEY  
3 24301 Southland Dr., Ste 312  
4 Hayward, Ca. 94545  
(510) 785-8400 (phone)  
(510) 670-0995 (fax)  
camellia@btbandb.com

5 Attorneys for Defendant Edwinna Firmeza  
6

7 IN THE UNITED STATES DISTRICT COURT  
8  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 EDWINNA FIRMEZA,

15 Defendant.

16 No. CR 12-00449-1 YGR

17 MODIFIED  
18 STIPULATION AND [PROPOSED]  
19 ORDER TO CONTINUE SENTENCING  
20 HEARING FROM NOVEMBER 29, 2012  
21 TO ~~FEBRUARY 7, 2013~~  
MARCH 14, 2013

22 Date: November 29, 2012

Time: 2:00 p.m.

Court: Hon. Yvonne Gonzalez Rogers

22 The above-captioned matter is set on November 29, 2012 at 2:00 p.m. before the Hon.  
23 Yvonne Gonzalez Rogers for sentencing. The parties request that the Court vacate this date and  
24 March 14, 2013.  
reset the matter for sentencing on ~~February 7, 2013~~.

25 The reason for this request is that the defense is in the process of investigating issues  
26 surrounding restitution in this matter. Ms. Firmeza pled guilty to a charge of bank fraud relating  
27 to the misrepresentation of income on loan applications. Two houses were purchased after the  
loans were funded. On November 13, 2012, the US Attorney received documentation supporting  
the actual loss to the bank with respect to one property. This documentation was immediately

turned over to the defense and is currently being reviewed. No documentation has been produced with regard to the second property and discovery is ongoing.

The parties, including Probation, agree that restitution issues should be resolved, to the extent possible, prior to sentencing and therefore agree to the proposed continuance. Because Probation is unavailable in January, the parties have requested a sentencing date in ~~February~~ March.

**SO STIPULATED.**

Dated: November 14, 2012

/S/ \_\_\_\_\_  
Keslie Stewart  
Assistant United States Attorney

Dated: November 14, 2012

/S/                  
Camellia Baray  
Attorney for Ms. Firmeza

1       For good cause shown, the sentencing hearing set for November 29, 2012 is continued to  
2       March 14, 2013 at 2:00 p.m.  
2       ~~February 7, 2012 at 2:00 p.m.~~

3  
4 IT IS SO ORDERED.  
5  
6

7 DATED: November 26 ,2012  
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Hon. Yvonne Gonzalez Rogers  
United States District Judge